

Docket No.: LT-0009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES

In re Application of

Confirmation No.: 5026

Seong Jin JO

Group Art Unit: 3621

Serial No.: 10/029,240

Examiner: Bradley B. Bayat

Filed: 12/28/2001

Customer No.: 34610

For: METHOD OF MANAGING USE OF AN APPLIANCE THROUGH A
COMMUNICATION NETWORK

TRANSMITTAL OF APPEAL BRIEF

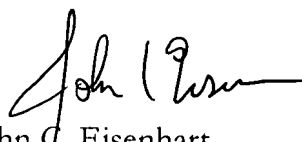
U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Submitted herewith is Appellant(s) Appeal Brief in support of the Notice of Appeal filed April 30, 2007. Please charge our credit card for the Appeal Brief fee of \$500.00. Our credit card payment form is enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP


John C. Eisenhart
Registration No. 38,128

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3777 JCE/krf

Date: July 2, 2007

\\Fk4\Documents\2031\2031-004\128053.doc



Serial No.: 10/029,240

Docket No.: LT-0009

Docket No.: LT-0009

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCE**

In re Application of

Confirmation No.: 5026

Seong Jin JO

Group Art Unit: 3621

Serial No.: 10/029,240

Examiner: Bradley B. Bayat

Filed: December 28, 2001

Customer No.: 34610

For: METHOD OF MANAGING USE OF AN APPLIANCE THROUGH A
COMMUNICATION NETWORK

APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 223134

Sir:

This appeal is taken from the rejection of claims as set forth in the Office Action of November 30, 2006 (hereinafter the "Office Action"). In accordance with 37 C.F.R. §41.37, Applicant addresses the following items.

07/03/2007 JADD01 00000074 10029240
01 FC:1402 500.00 OP

I. REAL PARTY IN INTEREST

Serial No.: 10/029,240

Docket No.: LT-0009

The real party in interest is the assignee, LG Electronics Inc. The assignment document is recorded at Reel 12421 and Frame 106.



II. RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

III. STATUS OF THE CLAIMS

This is an appeal from the final rejection dated November 30, 2006 of claims 1-29. All of claims 1-29 are rejected. No other claims are pending.

IV. STATUS OF AMENDMENTS

All Amendments filed in this application have been entered. A copy of appealed claims 1-29, appears in the attached Claims Appendix.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

As stated in 37 C.F.R §41.37(c)(v), Applicant is providing the following explanation of the claimed subject matter involved in this appeal. This explanation refers to the specification and drawings. The following is merely an example summary and is not intended to be a discussion of the full and entire scope of the claims. Other interpretations, configurations and embodiments are also within the scope of the pending claims.

A. OVERVIEW

The Application claims methods of managing the use of a rental home appliance. As is clear from the disclosure in the Application, the term “home appliance” refers to a home appliance such as a clothing washing machine, a clothing dryer, a dishwasher, and other similar appliances.

The claimed methods are designed, in some embodiments, to allow a private individual to have a rental home appliance installed at their home. In other embodiments, the rental home appliances may be located at a laundry business, or a laundry facility of an apartment complex or a hotel/motel. In fact, the claimed methods could be used to control rental appliances at virtually any location where such appliances are commonly used.

The appliance would be coupled to a communications network, such as the Internet, either directly, or via an individual’s or a business’ computer system. This would allow the rental agency that rents the appliance to monitor and control use of the appliance remotely via the communications network.

The application discloses an embodiment where the rental agency operates a server connected to the Internet. The rental agency server would receive information, over the Internet, relating to use of the appliance. Once the rental agency receives the usage information, the rental agency server could calculate charges for use of the home appliance. The rental agency could then send bills to the individual, charge the individual’s credit card or account for the usage, or possibly debit a pre-paid account.

As will be described in more detail below, the individual may have a special account number assigned to him, and the rental home appliance may have a unique identification number assigned to it. To obtain use of the home appliance, the individual may be required to log into the rental agency computer by providing his user ID number and/or the appliance ID number. Once logged in, the individual could then request usage of the appliance. If approved by the rental agency, then the rental agency would remotely enable the rental appliance to be used. If the individual is not approved, then the rental agency would have the ability to remotely de-activate the rental home appliance. In alternative embodiments, the individual may be required to pre-pay for use of the appliance, and once payment has been verified, the rental agency server could send an enabling signal to the home appliance to start a requested usage action.

B. THE CLAIMS

1. Claim 1

Independent claim 1 recites a method of managing use of a rental home appliance. The method includes the steps of receiving information on a use of the rental home appliance through a communication network, calculating a charge for the use of the rental home appliance based on the received use information, and transmitting the calculated charge to a user's terminal through the communication network. Each of these steps is discussed in detail below.

The step of receiving information on the use of the rental home appliance is discussed in the specification in paragraphs 24, 26, 33, 34 and 41. This step is also illustrated in steps S22 and S38 of Figures 2 and 3, respectively. During these steps, either the user would input the desired

use conditions of the appliance, or the appliance itself would determine the use conditions. This information would then be communicated to the rental agency, either via the Internet, or by other means.

The step of calculating a charge for use of the rental home appliance is discussed in the specification at paragraphs 25 and 35. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively. As explained in these passages, the charges could be calculated before use occurs, in which case, the user would have an opportunity to accept or decline the use. Alternatively, the charges would be calculated after use is completed.

The step of transmitting the calculated charge to a user's terminal is discussed in paragraphs 36 and 45 of the specification. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively.

2. Claim 2

Claim 2 depends from claim 1 and recites that the appliance is a washing machine. This feature is discussed throughout the application, as the example used in the application is that of a rental washing machine.

3. Claim 3

Claim 3 depends from claim 2 and further recites that the received use information used for calculating a charge could be any one of a number of different types of usage information. The types of usage information recited in claim 3 are discussed in paragraphs 24, 26, 33, 34 and 41 of the specification.

4. **Claim 4**

Claim 4 depends from claim 1 and recites that the appliance is activated by a start signal from a registered subscriber's personal computer or a mobile terminal. This feature is discussed in paragraphs 43 and 44 of the specification. This feature is also illustrated in steps S42 and S44 of Figure 3.

5. **Claim 5**

Claim 5 depends from claim 1 and further recites the steps of entering a subscriber number and a unique number of the appliance through the communication network, authenticating said subscriber number and said unique number of the appliance, and activating said appliance if said subscriber number and said unique number of the appliance are authentic. These steps are discussed in paragraphs 12, 23, 31 and 32. These steps are also illustrated in steps S12-S18 of Figure 2.

6. **Claim 6**

Claim 6 depends from claim 1 and further recites that the user's terminal is a personal computer or a mobile terminal. This feature is discussed in paragraphs 20-22 of the specification. This feature is also illustrated in Figure 1, which shows user terminals 10a – 10n.

7. **Claim 7**

Claim 7 depends from claim 1 and further recites a step of sending a bill for use of the appliance, after each use of the appliance, to a corresponding subscriber. This step is discussed

in paragraphs 36, 37 and 45 of the specification. This step is also illustrated in steps S26 and S28 of Figure 2, and steps S46 and S48 of Figure 3.

8. Claim 8

Claim 8 is also directed to a method of managing the use of a rental home appliance. Claim 8 recites authenticating a subscriber number received through the communication network, transmitting a start signal for a rental home appliance identified by the subscriber number from a server, through the communication network, to a corresponding subscriber's terminal if the subscriber number is authenticated successfully, receiving use information of the rental home appliance through the communication network, calculating a charge for the use of the rental home appliance based on the received use information, and transmitting the calculated charge to the subscriber's terminal through the communication network. The disclosure in the specification corresponding to these steps is discussed below.

The step of authenticating a subscriber number received through the communication network is discussed in paragraphs 23, 31, 32, 39 and 40 of the specification. This step is also illustrated in Figures S12-S18 of Figure 2 and steps S32-S36 of Figure 3. This step basically comprises checking a list of authorized users to determine if the user contacting the rental agency is an authorized user.

The step of transmitting a start signal for a rental home appliance identified by the subscriber number from a server through the communication network to a corresponding subscriber's terminal if the subscriber number is authenticated successfully is discussed in

paragraph 31 of the specification. This step is also illustrated in step S18 of Figure 2. During this step, signals would be sent from the central rental agency server to the subscriber's computer. And the subscriber's computer would then activate the appliance itself.

The step of receiving use information of the rental home appliance through the communication network is discussed in paragraphs 24, 26, 33, 34 and 41 of the specification. This step is also illustrated in steps S22 and S38 of Figures 2 and 3, respectively.

The step of calculating a charge for the use of the rental home appliance based on the received use information is discussed in paragraphs 25 and 35 of the specification. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively.

The step of transmitting the calculated charge to the subscriber's terminal through the communication network is discussed in paragraphs 36 and 45 of the specification. This step is also illustrated in steps S26 and S46 of Figures 2 and 3, respectively.

9. Claim 9

Claim 9 depends from claim 8 and recites that the appliance is a washing machine. This feature is discussed throughout the specification, as the example embodiment in the specification is for a washing machine. In addition, a washing machine 40 is shown in Figure 1.

10. Claim 10

Claim 10 depends from claim 9 and further recites that the use information includes at least one of a selected type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing

course program, a selected washing time, a selected number of washing repetitions, a selected number of agitation or spin cycles, and a number of rinsing repetitions. These features are discussed in paragraphs 24 and 33 of the specification.

11. Claim 11

Claim 11 depends from claim 8 and further recites a step of starting the appliance when the start signal is received by the subscriber's terminal. This step is discussed in paragraphs 32 and 44 of the specification. This step is also illustrated in step S44 of Figure 3.

12. Claim 12

Claim 12 depends from claim 8 and further recites the steps of entering a subscriber number and a unique number of the appliance through the communication network,, authenticating said subscriber number and said unique number of the appliance, and activating said appliance if said subscriber number and said unique number of the appliance are authentic. The support for each of these steps is discussed below.

The step of entering a subscriber number and a unique number of the appliance through the communication network is discussed in paragraphs 23, 31, and 39 of the specification. This step is also illustrated in steps S12 and S32 of Figures 2 and 3, respectively.

The step of authenticating said subscriber number and said unique number of the appliance is discussed in steps 31, 32, 39 and 40 of the specification. This step is also illustrated in steps S14 and S16 of Figure 2, and steps S34 and S36 of Figure 3.

The step of activating said appliance if said subscriber number and said unique number of the appliance are authentic are discussed in paragraphs 32 and 44 of the specification. This step is also illustrated in step S18 and S44 of Figures 2 and 3, respectively.

13. Claim 13

Claim 13 depends from claim 8 and further recites that the subscriber's terminal is a personal computer or a mobile terminal. This feature is discussed in paragraphs 20-22 of the specification. This feature is also illustrated in Figure 1, which shows user terminals 10a – 10n.

14. Claim 14

Claim 14 depends from claim 8 and further recites a step of sending a bill for use of the appliance after each use of the appliance to a corresponding subscriber. This step is discussed in paragraphs 36, 37 and 45 of the specification. This step is also illustrated in steps S26 and S28 of Figure 2, and steps S46 and S48 of Figure 3.

15. Claim 15

Claim 15 is an independent claim directed to a method of managing use of a washing machine through a communications network. Claim 15 recites the steps of receiving information on washing condition program settings based on clothes inserted in the washing machine through the communication network, calculating a charge for use of the washing machine based on the received information, transmitting the calculated charge to a user's terminal through the communication network, and transmitting a start signal to the washing

machine through the communication network if a washing request is received. The disclosure in the application corresponding to these steps is discussed below.

The step of receiving information on washing condition program settings based on clothes inserted in the washing machine through the communication network is discussed in paragraphs 24, 26 and 33 of the specification. In addition, this step is illustrated in steps S22 and S38 of Figures 2 and 3, respectively. During this step, the washing machine itself would determine the amount of clothing which has been placed in the machine for washing. The washing machine would then communicate this information, and possible other machine settings selected by the user, to the rental agency server.

The step of calculating a charge for use of the washing machine based on the received information is discussed in paragraphs 25 and 35 of the specification. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively.

The step of transmitting the calculated charge to a user's terminal through the communication network is discussed in paragraphs 25 and 37 of the specification. In addition, this step is illustrated in steps S26, S40 and S46 of Figures 2 and 3.

The step of transmitting a start signal to the washing machine through the communication network if a washing request is received is discussed in paragraphs 32 and 44 of the specification. This step is also illustrated in steps S18 and S44 of Figures 2 and 3, respectively.

16. Claim 16

Claim 16 depends from claim 15 and further recites that the received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to wash, a selected washing course program, a washing time, a number of washing repetitions, a selected number of agitation or spin cycles, and a selected number of rinsing repetitions. These features are discussed in paragraphs 24 and 33 of the specification.

17. Claim 17

Claim 17 depends from claim 15 and further recites that the user's terminal comprises a personal computer or a mobile terminal. This feature is discussed in paragraphs 20-22 of the specification. This feature is also illustrated in Figure 1, which shows user terminals 10a – 10n.

18. Claim 18

Claim 18 depends from claim 15 and further recites the step of sending a bill for use of the washing machine after each use of the washing machine to a corresponding subscriber. This step is discussed in paragraphs 36, 37 and 45 of the specification. This step is also illustrated in steps S26 and S28 of Figure 2, and steps S46 and S48 of Figure 3.

19. Claim 19

Claim 19 is an independent claim directed to a method of managing use of rental home appliance through a communications network. Claim 19 recites the steps of authenticating a subscriber number received through the communication network, receiving automatically

selected information on rental home appliance use conditions through the communication network, calculating a charge for use of the rental home appliance, if the subscriber number is authenticated successfully, transmitting the calculated charge to a subscriber's terminal through the communication network, and transmitting a start signal to the rental home appliance through the communication network if a start request is received. The disclosure in the specification supporting each of these steps is discussed below.

The step of authenticating a subscriber number received through the communication network is discussed in paragraphs 31, 32, 39 and 40 of the specification. This step is also illustrated in steps S14 and S16 of Figure 2, and steps S34 and S36 of Figure 3.

The step of receiving automatically selected information on rental home appliance use conditions through the communication network is discussed in paragraphs 24, 26, 33, 34 and 41 of the specification. This step is also illustrated in steps S22 and S38 of Figures 2 and 3, respectively.

The step of calculating a charge for use of the rental home appliance if the subscriber number is authenticated successfully is discussed in paragraphs 25 and 35 of the specification. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively.

The step of transmitting the calculated charge to a subscriber's terminal through the communication network is discussed in paragraphs 25 and 37 of the specification. In addition, this step is illustrated in steps S26, S40 and S46 of Figures 2 and 3.

The step of transmitting a start signal to the rental home appliance through the communication network if a start request is received is discussed in paragraphs 32 and 44 of the specification. This step is also illustrated in steps S18 and S44 of Figures 2 and 3, respectively.

20. Claim 20

Claim 20 depends from claim 19 and further recites that the appliance is a washing machine and wherein said received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a number of washing repetitions, a selected number of spin cycles, and a selected number of rinsing repetitions. The feature of the appliance being a washing machine is discussed throughout the specification, and a washing machine 40 is illustrated in Figure 1. The information about the washing conditions is discussed in paragraphs 24 and 33 of the specification.

21. Claim 21

Claim 21 depends from claim 19 and further recites that the subscriber's terminal comprises a personal computer or a mobile terminal. This feature is discussed in paragraphs 20-22 of the specification. This feature is also illustrated in Figure 1, which shows user terminals 10a – 10n.

22. Claim 22

Claim 22 depends from claim 19 and further recites the step of sending a bill for use of the appliance, after each use of the appliance, to a corresponding subscriber. This step is discussed in paragraphs 36, 37 and 45 of the specification. This step is also illustrated in steps S26 and S28 of Figure 2, and steps S46 and S48 of Figure 3.

23. Claim 23

Claim 23 is also directed to a method of managing usage of a rental home appliance. Claim 23 recites the steps of receiving a subscriber number from a user over a communication network, validating said subscriber number, configuring a rental home appliance for use if said subscriber number is valid, receiving usage information from said rental home appliance over the communication network, calculating charge information based on said usage information, and transmitting said charge information to said user. The disclosure in the specification corresponding to each of these steps is discussed below.

The steps of receiving a subscriber number from a user over a communication network and validating the subscriber number are discussed in paragraphs 31, 32, 39 and 40 of the specification. These steps are also illustrated in steps S14 and S16 of Figure 2, and steps S34 and S36 of Figure 3.

The step of configuring a rental home appliance for use if said subscriber number is valid is discussed in paragraph 32 of the specification. This step is also illustrated in step S18 of Figure 2.

The step of receiving usage information from said rental home appliance over the communication network is discussed in paragraphs 24, 26, 33, 34 and 41 of the specification. This step is also illustrated in steps S22 and S38 of Figures 2 and 3, respectively.

The step of calculating charge information based on said usage information is discussed in paragraphs 25 and 35 of the specification. This step is also illustrated in steps S26 and S40 of Figures 2 and 3, respectively.

The step of transmitting said charge information to said user is discussed in paragraphs 25 and 37 of the specification. In addition, this step is illustrated in steps S26, S40 and S46 of Figures 2 and 3.

24. Claim 24

Claim 24 depends from claim 23 and further recites the step of transmitting said charge information to said user after said user has used the appliance. This step is discussed in paragraphs 36, 37 and 45 of the specification. This step is also illustrated in steps S26 and S28 of Figure 2, and steps S46 and S48 of Figure 3.

25. Claim 25

Claim 25 depends from claim 23 and further recites the step of transmitting said charge information to the user before the subscriber has used the appliance. Thus step is discussed in paragraph 42 of the specification. This step is also illustrated in step S40 of Figure 3.

26. Claim 26

Claim 26 depends from claim 25 and further recites the step of cancelling use of said appliance after transmitting said charge information to the user and before the subscriber has used the appliance. This step is discussed in paragraph 43 of the specification. This step is also illustrated in step S42 of Figure 3.

27. Claim 27

Claim 27 depends from claim 23 and further recites that the step of configuring an appliance for use further comprises activating the appliance when the user pushes a start button. This step is discussed in paragraph 43 of the specification. This step is also illustrated in steps S42 and S44 of Figure 3.

28. Claim 28

Claim 28 depends from claim 23 and further recites that the step of transmitting the charge information comprises displaying the charge information on a display means. This step is discussed in paragraph 43 of the specification.

29. Claim 29

Claim 29 depends from claim 23 and further recites that the step of validating said subscriber number comprises validating a debit, credit or pre-paid card, and wherein transmitting said charge information to said user further comprises billing said debit, credit or pre-paid card based on said charge information. These steps are discussed in paragraph 47 of the specification.

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-14 and 16-18 stand rejected under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2004/0133793 to Ginter et al. (hereinafter, "Ginter").

Claims 15-18 stand rejected under 35 U.S.C. §103(a) over Ginter, in view of U.S. Patent No. 5,757,643 to Kurodo et al. (hereinafter "Kurodo").

The November 30, 2006 Office Action also purports to reject claims 16-18 under 35 U.S.C. §102(e) over Ginter. Applicant believes that the Examiner probably intended to also include claim 15 in this rejection, along with claims 16-18, because claim 15 is the independent claim from which claims 16-18 depend.

Further, the November 30, 2006 Office Action states that "claims 19-29 directed to substantially similar subject matter are rejected as above." The Office Action does not indicate which of the two previously recited rejections, §102(e) or §103(a), should apply to claims 19-29. However, given the similarities between claims 19-29 and claims 1-14, Applicants believe that the Examiner probably intended to reject claims 19-29 under 35 U.S.C. §102(e) over Ginter.

In view of all of the foregoing, it is believed that the Examiner intended for claims 1-29 to stand rejected under 35 U.S.C. §102(e) over Ginter. The following Arguments make this assumption.

VII. ARGUMENT**A. Claims 1-29 Are Allowable over Ginter**

The Ginter reference is directed to systems and methods for controlling access to “electronic content.” The “electronic content” being controlled in the Ginter system is information, text, music and video stored in an electronic format, such as digital music and video files, digitized copyrighted written materials and the like. The entire thrust of the Ginter publication is to create a virtual distribution environment (VDE) which secures, administers and audits the usage of such “electronic content.”

The Ginter system is set up so that users wishing to gain access to “electronic content” can gain the desired access so long as they pay for the right to do so. The VDE provides methods for central control of the users’ access to the electronic content, and the VDE allows the owners of the electronic content to ensure that the users have paid or will pay for such access.

Various portions of the Ginter publication refer to an “electronic appliance.” The term “electronic appliance,” as used in the Ginter publication, means a computer processing device which will allow a user to access electronic content. Examples include personal computers, digital music players such as the Apple iPod and portable devices such as personal digital assistants. The Ginter publication also appears to assert that the term “electronic appliance” would also cover devices such as “smart” credit cards which are capable of interfacing with another electronic device to accomplish the transfer of electronic data. Thus,

the term “electronic appliance,” as used in the Ginter publication, has nothing whatsoever to do with traditional home appliances such as washing machines and dryers.

1. Claims 1 and 6

Claim 1 of the present application is directed to a method of managing use of a rental home appliance. It is abundantly clear from the specification of the present application that the term “home appliance” used in claim 1 refers to devices such as clothing washing machines, dryers, dishwashers, and the like. Claim 1 recites receiving information on use of a rental home appliance through a communications network, calculating a charge for use of the rental home appliance based on the received use information, and transmitting the calculated charge to a user’s terminal through the communication network.

The Office Action refers to various paragraphs of the Ginter publication as allegedly disclosing the features of claim 1. While the words used in the Ginter publication may be similar to the words which appear in claim 1, the meaning of the words in the Ginter publication is completely different from the meaning of the words used in claim 1, when properly interpreted in light of the specification, claims and drawings.

For instance, the Office Action asserts that paragraphs 110 and 137-140 of the Ginter publication disclose methods of managing the use of a home appliance. Specifically, the Office Action asserts that these paragraphs disclose a step of receiving information on the use of a rental home appliance through a communication network.

Nothing in paragraphs 110 or 137-140 make any reference to receiving information on the use of a rental home appliance. Paragraph 139 discusses monitoring the use of an “electronic appliance.” However, as explained above, in the context of the Ginter publication, the term “electronic appliance” refers to a device which is used to gain access to electronic content such as digital music and video files. Thus, in the context of paragraph 139, all that is occurring is that the system is receiving information about a user’s operation of an electronic appliance, such as a computer, to gain access to protected electronic content. Nothing in paragraph 139 refers to use of a home appliance such as a clothing washer.

Likewise, the Office Action refers to paragraph 1515 as showing methods of calculating a charge for use of a rental home appliance. This paragraph is an extremely general description of calculating a charge based on input data. The description appearing in paragraph 1515 would apply equally to buying a doughnut at a convenience store, purchasing software over the Internet, or calculating the cost of a new airplane delivered by the Boeing Corporation. Paragraph 1515 is devoid of any description which would show calculating a charge for use of a home appliance.

The Office Action also asserts that paragraphs 1835 and 1866-1868 disclose a method of transmitting a calculated charge to a user’s terminal through the communication network. These paragraphs very generally refer to enacting communications between a central VDE and a user’s device to reflect payment for usage of electronic content. Here again, the Ginter publication is

discussing charging a user for use of electronic content. Nothing in these paragraphs of the Ginter publication has anything whatsoever to do with use of a home appliance.

Because the Ginter publication is completely focused on controlling access to electronic content, such as digital music and video files, it is respectfully submitted that the Ginter reference cannot anticipate the method of claim 1, which recites specific steps directed to calculating charges for use of a rental home appliance. Nothing in the Ginter reference refers to calculating charges for use of a home appliance.

Furthermore, it is respectfully submitted that one of ordinary skill in the art, reading the Ginter reference, would not find the method of claim 1 to be obvious. The Ginter publication is wholly focused on electronic content and methods of controlling access to and usage of such electronic content. The Ginter publication completely fails to appreciate the inherent difficulties in tracking use of a home appliance, and nothing in the Ginter reference would render these features obvious.

In view of all the foregoing, it is respectfully submitted that claim 1 is allowable. Claim 6 depends from claim 1 and is allowable for at least the same reasons.

2. Claim 2

Claim 2 depends from claim 1 and is allowable for at least the reasons discussed above in connection with claim 1. In addition, claim 2 recites additional features which are also not disclosed or suggested by Ginter. Claim 2 explicitly states that the home appliance in question is a washing machine. Because nothing in the Ginter publication discloses or suggests any steps

relating to managing use of a washing machine, it is respectfully submitted that Ginter cannot anticipate claim 2. It is respectfully submitted that claim 2 is also allowable for these additional reasons.

3. Claim 3

Claim 3 depends from claim 2 and is allowable for at least the reasons discussed above in connection with claims 1 and 2. In addition, claim 3 recites additional features which are also not disclosed or suggested by Ginter. Claim 3 further recites that the received use information used for calculating a charge could be any one of a number of different specific types of washing machine usage information. Because Ginter completely fails to disclose or suggest anything related to use of a washing machine, Ginter necessarily fails to disclose using the types of information recited in claim 3. It is respectfully submitted that claim 3 is also allowable for these additional reasons.

4. Claim 4

Claim 4 depends from claim 1 and is allowable for at least the reasons discussed above in connection with claim 1. Claim 4 also recites additional features which are also not disclosed or suggested by Ginter. Claim 4 recites that the appliance is activated by a start signal from a registered subscriber's personal computer or a mobile terminal. Nothing in the Ginter publication discloses or suggests activating a home appliance, such as a washing machine, using a start signal from a registered subscriber's personal computer or a mobile terminal. It is respectfully submitted that claim 4 is also allowable for these additional reasons.

5. Claim 5

Claim 5 depends from claim 1 and is allowable for at least the reasons discussed above in connection with claim 1. Claim 5 also recites additional features which are also not disclosed or suggested by Ginter. Claim 5 further recites the steps of entering a subscriber number and a unique number of the appliance through the communication network, authenticating said subscriber number and said unique number of the appliance, and activating said appliance if said subscriber number and said unique number of the appliance are authentic. Here again, nothing in the Ginter publication discloses or suggests (1) entering a unique number of a home appliance, such as a washing machine; (2) authenticating a unique number of a home appliance; or (3) activating the home appliance if the subscriber number and home appliance number are authentic. It is respectfully submitted that claim 5 is also allowable for these additional reasons.

6. Claim 7

Claim 7 depends from claim 1 and is allowable for at least the reasons discussed above in connection with claim 1. Claim 7 also recites additional features that are also not disclosed or suggested by Ginter. Claim 7 further recites a step of sending a bill for use of the appliance, after each use of the appliance, to a corresponding subscriber. Because Ginter fails to disclose or suggest anything relating to a traditional home appliance, Ginter necessarily fails to disclose or suggest sending a bill for use of a home appliance after each use of the home appliance. It is respectfully submitted that claim 7 is also allowable for these additional reasons.

7. **Claims 8 and 13**

Claim 8 is also directed to a method of managing the use of a rental home appliance. Claim 8 recites authenticating a subscriber number received through the communication network, transmitting a start signal for a rental home appliance identified by the subscriber number from a server, through the communication network, to a corresponding subscriber's terminal if the subscriber number is authenticated successfully, receiving use information of the rental home appliance through the communication network, calculating a charge for the use of the rental home appliance based on the received use information, and transmitting the calculated charge to the subscriber's terminal through the communication network.

As discussed above, Ginter completely fails to disclose or suggest (1) transmitting a start signal for a rental home appliance; (2) receiving use information for a rental home appliance; or (3) calculating a charge for use of a rental home appliance. For at least these reasons, it is respectfully submitted that Ginter cannot anticipate claim 8, and that claim 8 is allowable. Claim 13 depends from claim 8 and is allowable for at least the same reasons.

8. **Claim 9**

Claim 9 depends from claim 8 and is allowable for at least the reasons discussed above in connection with claim 8. Also, claim 9 recites additional features that are also not disclosed or suggested by Ginter. Because Ginter is devoid of any mention of a washing machine, or methods of managing use of a washing machine, it is respectfully submitted that claim 9 cannot

be anticipated by Ginter. It is respectfully submitted that claim 9 is also allowable for these additional reasons.

9. Claim 10

Claim 10 depends from claim 9 and is allowable for at least the reasons discussed above in connection with claims 8 and 9. Also, claim 10 recites additional features that are also not disclosed or suggested by Ginter. Claim 10 further recites that the use information includes at least one of a selected type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a selected number of washing repetitions, a selected number of agitation or spin cycles, and a number of rinsing repetitions. Because Ginter fails to make any mention of a washing machine, Ginter also necessarily fails to disclose or suggest calculating a charge for use of a washing machine using any of the specific types of use information recited in claim 10. It is respectfully submitted that claim 10 is also allowable for these additional reasons.

10. Claim 11

Claim 11 depends from claim 8 and is allowable for at least the reasons discussed above in connection with claim 8. Claim 11 recites additional features that are also not disclosed or suggested by Ginter. Claim 11 further recites a step of starting the appliance when the start signal is received by the subscriber's terminal. As noted above, Ginter fails to disclose or suggest

starting a home appliance such as a washing machine. It is respectfully submitted that claim 11 is also allowable for these additional reasons.

11. Claim 12

Claim 12 depends from claim 8 and is allowable for at least the reasons discussed above in connection with claim 8. Claim 12 recites additional features that are also not disclosed or suggested by Ginter. Claim 12 further recites the steps of entering a subscriber number and a unique number of the appliance through the communication network;, authenticating said subscriber number and said unique number of the appliance, and activating said appliance if said subscriber number and said unique number of the appliance are authentic.

Here again, nothing in the Ginter publication discloses or suggests (1) entering a unique number of a home appliance, such as a washing machine; (2) authenticating a unique number of a home appliance; or (3) activating the home appliance if the subscriber number and home appliance number are authentic. It is respectfully submitted that claim 12 is also allowable for these additional reasons.

12. Claim 14

Claim 14 depends from claim 8 and is allowable for at least the reasons discussed above in connection with claim 8. Also, claim 14 recites additional features that are also not disclosed or suggested by Ginter. Claim 14 further recites a step of sending a bill for use of the appliance, after each use of the appliance, to a corresponding subscriber. Because Ginter fails to disclose or suggest anything relating to a traditional home appliance, Ginter necessarily fails to disclose or

suggest sending a bill for use of a home appliance after each use of the home appliance. It is respectfully submitted that claim 14 is also allowable for these additional reasons.

13. Claims 15 and 17

Claim 15 is an independent claim directed to a method of managing use of a washing machine through a communications network. Claim 15 recites the steps of receiving information on washing condition program settings based on clothes inserted in the washing machine through the communication network, calculating a charge for use of the washing machine based on the received information, transmitting the calculated charge to a user's terminal through the communication network, and transmitting a start signal to the washing machine through the communication network if a washing request is received.

As noted above, Ginter fails to disclose or suggest (1) receiving information on washing condition program settings based on clothes inserted in a washing machine; (2) calculating a charge for use of the washing machine based on the received information; or (3) transmitting a start signal to a washing machine. For at least these reasons, it is respectfully submitted that claim 15 is allowable. Claim 17 depends from claim 15 and is allowable for at least the same reasons.

14. Claim 16

Claim 16 depends from claim 15 and is allowable for at least the reasons discussed above in connection with claim 15. Also, claim 16 recites additional features that are also not disclosed or suggested by Ginter. Claim 16 further recites that the received information includes at least

one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to wash, a selected washing course program, a washing time, a number of washing repetitions, a selected number of agitation or spin cycles, and a selected number of rinsing repetitions. Because Ginter fails to disclose or suggest anything having to do with a washing machine, Ginter necessarily fails to disclose receiving any of the types of information recited in claim 16. It is respectfully submitted that claim 16 is also allowable for these additional reasons.

15. Claim 18

Claim 18 depends from claim 15 and is allowable for at least the reasons discussed above in connection with claim 15. Also, claim 18 recites additional features that are also not disclosed or suggested by Ginter. Claim 18 further recites the step of sending a bill for use of the washing machine, after each use of the washing machine, to a corresponding subscriber. Because Ginter fails to disclose or suggest anything relating to a washing machine, Ginter necessarily fails to disclose or suggest sending a bill for use of a washing machine after each use of the washing machine. It is respectfully submitted that claim 18 is also allowable for these additional reasons

16. Claims 19 and 21

Claim 19 is an independent claim directed to a method of managing use of rental home appliance through a communications network. Claim 19 recites the steps of authenticating a subscriber number received through the communication network, receiving automatically selected information on rental home appliance use conditions through the communication

network, calculating a charge for use of the rental home appliance, if the subscriber number is authenticated successfully, transmitting the calculated charge to a subscriber's terminal through the communication network, and transmitting a start signal to the rental home appliance through the communication network if a start request is received.

As discussed above, Ginter fails to disclose or suggest (1) receiving automatically selected information on rental home appliance use conditions; (2) calculating a charge for use of the rental home appliance; or (3) transmitting a start signal to a rental home appliance. For at least these reasons, it is respectfully submitted that claim 19 is allowable. Claim 21 depends from claim 19 and is allowable for at least the same reasons.

17. Claim 20

Claim 20 depends from claim 19 and is allowable for at least the reasons discussed above in connection with claim 19. Also, claim 20 recites additional features that are also not disclosed or suggested by Ginter. Claim 20 further recites that the appliance is a washing machine and wherein said received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a number of washing repetitions, a selected number of spin cycles, and a selected number of rinsing repetitions. As noted above, Ginter completely fails to disclose or suggest managing use of a washing machine, or receiving information as recited in claim 20. It is respectfully submitted that claim 20 is also allowable for these additional reasons.

18. Claim 22

Claim 22 depends from claim 19 and is allowable for at least the reasons discussed above in connection with claim 19. Also, claim 22 recites additional features that are also not disclosed or suggested by Ginter. Claim 22 further recites the step of sending a bill for use of the appliance, after each use of the appliance, to a corresponding subscriber. Because Ginter fails to disclose or suggest anything relating to a home appliance, Ginter necessarily fails to disclose or suggest sending a bill for use of an appliance after each use of the appliance. It is respectfully submitted that claim 22 is also allowable for these additional reasons

19. Claims 23, 28 and 29

Claim 23 is also directed to a method of managing a usage of a rental home appliance. Claim 23 recites the steps of receiving a subscriber number from a user over a communication network, validating said subscriber number, configuring a rental home appliance for use if said subscriber number is valid, receiving usage information from said rental home appliance over the communication network, calculating charge information based on said usage information, and transmitting said charge information to said user. As noted above, Ginter fails to disclose or suggest (1) configuring a rental home appliance for use; (2) receiving usage information from said rental home appliance; or (3) calculating charge information based on said usage information. For at least these reasons, it is respectfully submitted that claim 23 is allowable. Claims 28 and 29 depend from claim 23 and are allowable for at least the same reasons.

20. Claim 24

Claim 24 depends from claim 23 and is allowable for at least the reasons discussed above in connection with claim 23. Also, claim 24 recites additional features that are also not disclosed or suggested by Ginter. Claim 24 further recites the step of transmitting said charge information to said user after said user has used the appliance. Because Ginter fails to disclose or suggest anything related to use of a home appliance, Ginter necessarily fails to disclose or suggest transmitting charge information to a user after the user has used an appliance. It is respectfully submitted that claim 24 is also allowable for these additional reasons.

21. Claim 25

Claim 25 depends from claim 23 and is allowable for at least the reasons discussed above in connection with claim 23. Also, claim 25 recites additional features that are also not disclosed or suggested by Ginter. Claim 25 further recites a step of transmitting said charge information to the user before the subscriber has used the appliance. As noted above, Ginter fails to disclose or suggest transmitting any sort of charge information regarding a home appliance, let alone sending such information before a subscriber has used the home appliance. It is respectfully submitted that claim 25 is also allowable for these additional reasons.

22. Claim 26

Claim 26 depends from claim 25 and is allowable for at least the reasons discussed above in connection with claims 23 and 25. Also, claim 26 recites additional features that are also not disclosed or suggested by Ginter. Claim 26 further recites the step of cancelling use of said

appliance after transmitting said charge information to the user and before the subscriber has used the appliance. As noted above, Ginter fails to disclose anything relating to use of a home appliance, let alone canceling use of a home appliance before a subscriber has used the appliance. It is respectfully submitted that claim 25 is also allowable for these additional reasons.

23. Claim 27

Claim 27 depends from claim 23 and is allowable for at least the reasons discussed above in connection with claim 23. Also, claim 27 recites additional features that are also not disclosed or suggested by Ginter. Claim 26 further recites that the step of configuring an appliance for use further comprises activating the appliance when the user pushes a start button. Because Ginter fails to disclose anything relating to use of a home appliance, Ginter necessarily fails to disclose or suggest configuring an appliance for use by activating the home appliance when the user pushes a start button. It is respectfully submitted that claim 27 is also allowable for these additional reasons.

B. Claims 15-18 Are Allowable over Ginter and Kuroda

The Office Action rejects claims 15-18 under 35 U.S.C. §103(a) over Ginter, in view of Kuroda. As noted above, Ginter fails to disclose or suggest many of the features of claims 15-18. As will be explained below, Kuroda fails to cure these deficiencies of Ginter.

Kuroda discloses systems and methods for monitoring and controlling a plurality of coin-operated laundry machines from a remote location. Kuroda is primarily concerned with detecting machine faults, and with attempting to determine if a user is making use of a machine

without inserting the appropriate number of coins to cover the usage. When the Kuroda system determines that a machine is having operational problems, or that the correct payment has not been received, the Kuroda system simply shuts off the machine remotely.

The Kuroda system does not:

1. Attempt to receive or validate user ID numbers, or numbers associated with rental home appliances;
2. Remotely activate a home appliance if user ID information is validated;
3. Receive information about usage conditions for a home appliance;
4. Calculate charges for use of a home appliance based on the received information;
5. Submit the calculated charges to a user for pre-approval before use of a home appliance begins; or
6. Send bills for use of a home appliance; or
7. Charge a user's credit card for such usage.

1. Claims 15 and 17

The features of independent claim 15 are discussed above. To summarize, claim 15 recites a method that includes the steps of receiving information on washing condition program settings based on clothes inserted in the washing machine through the communication network, calculating a charge for use of the washing machine based on the received information, transmitting the calculated charge to a user's terminal through the communication network, and

transmitting a start signal to the washing machine through the communication network if a washing request is received.

Even if the disclosure of Kuroda were combined with the disclosure of Ginter, the combination would still fail to disclose or suggest a method that includes (1) receiving information on washing condition program settings based on clothes inserted in a washing machine; (2) calculating a charge for use of the washing machine based on the received information; or (3) transmitting a start signal to a washing machine. For at least these reasons, it is respectfully submitted that claim 15 is allowable over the combination of Ginter and Kuroda. Claim 17 depends from claim 15 and is allowable for at least the same reasons.

2. Claim 16

Claim 16 depends from claim 15 and is allowable for at least the reasons discussed above in connection with claim 15. Also, claim 16 recites additional features that are also not disclosed or suggested by either Ginter or Kuroda. Claim 16 further recites that the received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to wash, a selected washing course program, a washing time, a number of washing repetitions, a selected number of agitation or spin cycles, and a selected number of rinsing repetitions. Neither Ginter nor Kuroda disclose or suggest receiving any of these items of information. It is respectfully submitted that claim 16 is also allowable for these additional reasons.

3. **Claim 18**

Claim 18 depends from claim 15 and is allowable for at least the reasons discussed above in connection with claim 15. Also, claim 18 recites additional features that are also not disclosed or suggested by either Ginter or Kuroda. Claim 18 further recites the step of sending a bill for use of the washing machine after each use of the washing machine to a corresponding subscriber. Both Ginter and Kuroda fail to disclose or suggest sending bills for use of a washing machine after each use of the washing machine. It is respectfully submitted that claim 18 is also allowable for these additional reasons

VIII. CONCLUSION

It is respectfully submitted that the above arguments show that each of claims 1-29 are patentable over the applied references. Applicants respectfully requests that the rejections of claims 1-29 set forth in the November 30, 2006 Office Action be withdrawn.

Respectfully submitted,
KED & ASSOCIATES, LLP



John C. Eisenhart
Registration No. 38,128

P. O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3777

Date: July 2, 2007

Please direct all correspondence to Customer Number 34610

Document in ProLaw

APPENDIX A – THE PENDING CLAIMS

1. A method of managing use of a rental home appliance, comprising:

receiving information on a use of the rental home appliance through a communication network;

calculating a charge for the use of the rental home appliance based on the received use information; and

transmitting the calculated charge to a user's terminal through the communication network.
2. The method of claim 1, wherein said appliance is a washing machine.
3. The method of claim 2, wherein said received use information for calculating a charge includes at least one of a type of washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a selected number of washing repetitions, a selected number of agitation or spin cycles, and a number of rinsing repetitions.
4. The method of claim 1, wherein the appliance is activated by a start signal from a registered subscriber's personal computer or a mobile terminal.

5. The method of claim 1, further comprising:
entering a subscriber number and a unique number of the appliance through the communication network;
authenticating said subscriber number and said unique number of the appliance; and
activating said appliance if said subscriber number and said unique number of the appliance are authentic.

6. The method of claim 1, wherein the user's terminal is a personal computer or a mobile terminal.

7. The method of claim 1, further comprising sending a bill for use of the appliance after each use of the appliance to a corresponding subscriber.

8. A method of managing the use of a rental home appliance through a communication network, comprising:

authenticating a subscriber number received through the communication network;

transmitting a start signal for a rental home appliance identified by the subscriber number from a server through the communication network to a corresponding subscriber's terminal if the subscriber number is authenticated successfully;

receiving use information of the rental home appliance through the communication network;

calculating a charge for the use of the rental home appliance based on the received use information; and

transmitting the calculated charge to the subscriber's terminal through the communication network.

9. The method of claim 8, wherein said appliance is a washing machine.

10. The method of claim 9, wherein the use information includes at least one of a selected type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a selected number of washing repetitions, a selected number of agitation or spin cycles, and a number of rinsing repetitions.

11. The method of claim 8, further comprising starting the appliance when the start signal is received by the subscriber's terminal.

12. The method of claim 8, further comprising:
entering a subscriber number and a unique number of the appliance through the communication network;

authenticating said subscriber number and said unique number of the appliance; and

activating said appliance if said subscriber number and said unique number of the appliance are authentic.

13. The method of claim 8, wherein the subscriber's terminal is a personal computer or a mobile terminal.

14. The method of claim 8, further comprising sending a bill for use of the appliance after each use of the appliance to a corresponding subscriber.

15. A method of managing use of a washing machine through a communication network, comprising:

receiving information on washing condition program settings based on clothes inserted in the washing machine through the communication network;

calculating a charge for use of the washing machine based on the received information;

transmitting the calculated charge to a user's terminal through the communication network; and

transmitting a start signal to the washing machine through the communication network if a washing request is received.

16. The method of claim 15, wherein said received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to wash, a selected washing course program, a washing time, a number of washing repetitions, a selected number of agitation or spin cycles, and a selected number of rinsing repetitions.

17. The method of claim 15, wherein the user's terminal comprises a personal computer or a mobile terminal.

18. The method of claim 15, further comprising sending a bill for use of the washing machine after each use of the washing machine to a corresponding subscriber.

19. A method of managing use of a rental home appliance through a communication network, comprising:

 authenticating a subscriber number received through the communication network;

 receiving automatically selected information on rental home appliance use conditions through the communication network;

 calculating a charge for use of the rental home appliance, if the subscriber number is authenticated successfully;

transmitting the calculated charge to a subscriber's terminal through the communication network; and

transmitting a start signal to the rental home appliance through the communication network if a start request is received.

20. The method of claim 19, wherein said appliance is a washing machine and wherein said received information includes at least one of a type of the washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a selected number of washing repetitions, a selected number of spin cycles, and a selected number of rinsing repetitions.

21. The method of claim 19, wherein the subscriber's terminal comprises a personal computer or a mobile terminal.

22. The method of claim 19, further comprising sending a bill for use of the appliance after each use of the appliance to a corresponding subscriber.

23. A method of managing a usage of a rental home appliance, comprising:
receiving a subscriber number from a user over a communication network;
validating said subscriber number;

configuring a rental home appliance for use if said subscriber number is valid;

receiving usage information from said rental home appliance over the communication network;

calculating charge information based on said usage information; and
transmitting said charge information to said user.

24. The method of claim 23, further comprising transmitting said charge information to said user after said user has used said appliance.

25. The method of claim 23, further comprising transmitting said charge information to said user before said subscriber has used said appliance.

26. The method of claim 25, further comprising cancelling use of said appliance after transmitting said charge information to said user and before said subscriber has used said appliance.

27. The method of claim 23, wherein configuring an appliance for use further comprises activating said appliance when said user pushes a start button.

28. The method of claim 23, wherein transmitting said charge information to said user further comprises displaying said charge information on a display means.

29. The method of claim 23, wherein validating said subscriber number comprises validating a debit, credit or pre-paid card, and wherein transmitting said charge information to said user further comprises billing said debit, credit or pre-paid card based on said charge information.

APPENDIX B – EVIDENCE

No evidence is being submitted in support of this Appeal

APPENDIX C – RELATED PROCEEDINGS

There are no related appeals or interferences.